

William D. Wallach, Esq. #031861987

McCARTER & ENGLISH, LLP

Four Gateway Center

100 Mulberry Street

Newark, New Jersey 07102

(973) 639-7918

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Attorneys for Proposed Intervenor McCarter & English, LLP

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

AGOSTINO & AGOSTINO, P.C.,

Plaintiff,

v.

ESTATE OF MICHELE CESTONE; ESTATE OF AGNES CESTONE; ESTATE OF VINCENZO CESTONE; OBIT MARS VECTOR; MARVEC CORPORATION; VERONA INDUSTRIES, INC.; VERONA EQUITIES, INC.; CORSARO CORPORATION; MICHELE J. CESTONE; VINCENT R. CESTONE; MARIA CESTONE; VINCENT CESTONE, II; RALPH CESTONE; MICHELE A. CESTONE (RUSSOMANNO) and UNITED STATES OF AMERICA,

Defendant.

Case No. 2:25-cv-03855-JXN-LDW

INTERVENTION PLEADING

In accordance with Fed. R. Civ. P. 24, Proposed Intervenor McCarter & English, LLP sets forth the following claim against Defendant Ralph Cestone and states as follows:

1. McCarter & English, LLP formerly represented Defendant Ralph Cestone and his affiliated entities in a series of matters and lawsuits.
2. As a result of Ralph Cestone's failure to pay legal fees when due and owing, a lawsuit was filed entitled *McCarter & English, LLP v. Ralph Cestone and DJF Realty, Inc.*,

Superior Court of New Jersey, Law Division, Essex County, Docket No. ESX-L-8102-15 (“the Lawsuit”).

3. By Order dated August 22, 2016, the Honorable Dennis F. Carey, III, granted the motion for summary judgment filed by McCarter & English, LLP against both of the defendants.

4. The Order entered summary judgment (i) against Ralph Cestone in the amount of \$190,277.70, (ii) against DJF Realty, Inc. in the amount of \$323,613.94, and (iii) against both defendants (jointly and severally) in the amount of \$22,433,81. A copy of this Order is attached as Exhibit A.

5. On September 15, 2016, the Order for Summary Judgment was recorded as a state-wide lien and assigned the judgment number J167591-16. A copy of the Judgment is attached as Exhibit B.

6. On September 12, 2016, a Writ of Execution was received by the Clerk’s Office, Civil Division, Essex Vicinage directed to the Sheriff of Essex County. A copy of the Writ of Execution is attached as Exhibit C.

7. To date, no monies due and owing under the Judgment have been paid.

8. As stated in the Judgment, as of August 22, 2016, McCarter & English, LLP was owed the sum of \$190,277.70 from Ralph Cestone. In accordance with the post-interest rates set forth in New Jersey Rule of Court 4:42-11(a)(iii) and the Publisher’s Note for contract matters exceeding the monetary limit of the Special Civil Part, during the time period of August 23, 2016 through June 1, 2025, the amount of \$57,955.20 has accrued.

9. As of June 1, 2025, the total amount of \$248,232.90 is due and owing to McCarter & English, LLP from Ralph Cestone.

10. The Verified Complaint in Interpleader and Order To Show Cause filed by the Plaintiff in this matter lists Ralph Cestone as a person who may have an interest in the monies sought to be interpledaded.

11. McCarter & English, LLP asserts no claim against any portion of the interpleader monies belonging to any party or person other than Ralph Cestone.

12. In accordance with Fed. R. Civ. P. 24(a), in order to protect its rights as a judgment-creditor McCarter & English, LLP maintains it satisfies the criteria to intervene in this matter as of right given that (1) it has an interest in the property in this case (to the extent of Ralph Cestone's interest) given its status as judgment-creditor, (2) if it is not allowed to intervene then its right and ability to collect from Ralph Cestone pursuant to the Judgment would be impacted, (3) its interests are not represented by any of the existing parties, and (4) this application has been timely filed.

WHEREFORE, McCarter & English, LLP seeks the entry of Judgment against Ralph Cestone granting it the right to attach, levy, and execute upon any and all monies determined by the Court in this matter that Ralph Cestone has an interest in, together with such further relief as the Court deems just and equitable.

McCARTER & ENGLISH, LLP
Attorneys *Pro Se*

By: /s William D. Wallach
WILLIAM D. WALLACH
A Member of the Firm

Dated: June 27, 2025

EXHIBIT A

William D. Wallach - 031861987
McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-4444
Attorneys for Plaintiff

FILED

AUG 22 2016

Dennis F. Carey, III, C.P.J.

McCARTER & ENGLISH, LLP,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION – ESSEX COUNTY
vs.	:	DOCKET NO. ESX-L-008102-15
RALPH CESTONE, and DJF	:	Civil Action
REALTY, INC.,	:	ORDER GRANTING SUMMARY
Defendants.	:	JUDGMENT FOR PLAINTIFF

THIS MATTER having been opened to the Court by McCarter & English, LLP, attorneys for Plaintiff Pro Se, upon notice to counsel for the Defendants, for the entry of an Order pursuant to Rule 4:46-2 granting summary judgment in favor of the Plaintiff against the Defendants, and the Court having considered the moving papers, the Opposition Papers (if any), and in view of the record in this matter,

IT IS on 22 day of ^{AUGUST} Aug, 2016,

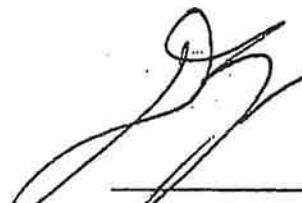
ORDERED as follows:

1. Plaintiff's Motion pursuant to New Jersey Court Rule 4:46-2 is granted in its entirety.

2. Summary Judgment is entered in favor of the Plaintiff against Defendant Ralph Cestone in the amount of \$ 190,277.70

3. Summary Judgment is entered in favor of the Plaintiff against Defendant DJF Realty, Inc. in the amount of \$ 323,613.94.

4. A signed copy of this Order shall be provided to counsel for the Defendants within three days of receipt from the Court.


J.S.C.

THIS MOTION WAS:

Opposed

Unopposed

- S.J. IS ENTERED IN FAVOR OF PLAINTIFF
JOINTLY AND SEVERALLY AGAINST RALPH CESTONE AND
DJF REALTY IN THE AMOUNT OF \$ 22,433.81

- REASON PLACED ON RECORD

EXHIBIT B

RECORDED AS A LIEN

William D. Wallach - 031861987
 McCARTER & ENGLISH, LLP
 Four Gateway Center
 100 Mulberry Street
 Newark, New Jersey 07102
 (973) 622-4444
 Attorneys for Plaintiff

FILED

AUG 22 2016

Dennis F. Carey, III, C.P.J.

McCARTER & ENGLISH, LLP,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION – ESSEX COUNTY
	:	DOCKET NO. ESX-L-008102-15
Plaintiff,	:	Civil Action
vs.	:	ORDER GRANTING SUMMARY
RALPH CESTONE, and DJF	:	JUDGMENT FOR PLAINTIFF
REALTY, INC.,	:	
Defendants.	:	

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IT IS on 22 day of AUGUST, 2016,

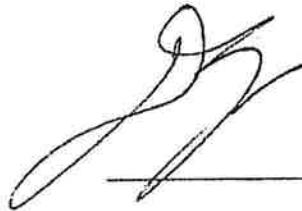
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JOINTLY AND SEVERALLY AGAINST RALPH CESTONE AND
DJF REALTY IN THE AMOUNT OF \$ 22,433.81

- REASON PLACED ON RECORD

EXHIBIT C

SUPERIOR COURT OF NJ
CIVIL DIVISION
ESSEX VICINAGE

2016 SEP 12 A 10:04

FINNACE DIVISION
A RECEIVED/FILED
30

William D. Wallach - 031861987
Matthew B. Heimann - 016242008
McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-4444
Attorneys for Plaintiff



McCARTER & ENGLISH, LLP,

Plaintiff,

v.

RALPH M. CESTONE and DJF REALTY, INC.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – ESSEX COUNTY
DOCKET NO. ESX-L-008102-15

Civil Action

WRIT OF EXECUTION

THE STATE OF NEW JERSEY,

TO THE SHERIFF OF THE COUNTY OF ESSEX:

WHEREAS, on August 22, 2016, a judgment (the “Judgment”) was recovered by Plaintiff McCarter & English, LLP (“Plaintiff”) in an action in the Superior Court of New Jersey, Law Division, Essex County, in favor of Plaintiff and against (i) Defendant Ralph M. Cestone in the amount of \$190,277.70, (ii) Defendant DJF Realty, Inc. in the amount of \$323,613.94, and (iii) Defendant Ralph M. Cestone and Defendant DJF Realty, Inc., jointly and severally, in the amount of \$22,433.81, plus post-judgment interest;

WHEREAS, no monies have been paid toward the sums due and owing under the Judgment.

gsl
9/8/16

THEREFORE, WE COMMAND THAT YOU satisfy the said Judgment out of the rights and credits and/or the personal property of the said judgment debtors Ralph M. Cestone and DJF Realty, Inc. within your County; and if sufficient rights and credits and/or personal property cannot be found then, subsequent to your levy and only after receipt of an order of the court pursuant to R. 4:59-1(d), out of the real property in your County belonging to the said judgment debtors Ralph M. Cestone and DJF Realty, Inc. at the time when the Judgment was entered or docketed in the office of the Clerk of this Court or at any time thereafter, in whosesoever hands the same may be. Any levy pursuant to this writ shall exclude (1) all funds in an account of the said judgment debtors Ralph M. Cestone and DJF Realty, Inc. with a bank or other financial institution, if all deposits into the account during the 90 days immediately prior to service of the Writ were electronic deposits, made on a recurring basis, of funds identifiable by the bank or other financial institution as exempt from execution, levy, or attachment under New Jersey or federal law, and (2) all funds deposited electronically in an account of the said judgment debtors Ralph M. Cestone and DJF Realty, Inc. with a bank or other financial institution during the two months immediately prior to the account review undertaken by the bank or other financial institution in response to the Writ that are identifiable by the bank or other financial institution as exempt from execution, levy, or attachment under New Jersey or federal law. You shall pay said monies realized by you from such property to Plaintiff. Within 24 months after the date of its issuance, you shall return this execution and your proceedings thereon to the Clerk of the Superior Court of New Jersey at Trenton.

WE FURTHER COMMAND YOU, that in case of a sale, you return this Writ of Execution with your proceedings thereon before this Court and pay to the Clerk thereof any surplus in your hands within 30 days after the sale.

WITNESS, the Honorable Daryl P. C. C. J., Judge, Superior Court of
New Jersey, on this 12th day of September, 2016.
Civil P.J.

Michele M. Smith, CLERK
Michele M. Smith, Esq.
Clerk of Superior Court

McCARTER & ENGLISH, LLP
Attorneys for Plaintiff

Dated: September 9, 2016

By: William D. Wallach
William D. Wallach
A Member of the Firm

ENDORSEMENT

Judgment Amount*	\$536,325.45
Attorneys' Fees	open
Taxed Costs	open
Interest from August 22, 2016 to _____	\$ _____
Credits	open
Sheriff's Fees	\$ _____
Sheriff's Commissions	\$ _____
TOTAL: \$ _____	

*“Judgment Amount” excludes post-judgment interest, taxed costs, or any applicable attorneys’ fees. Post-Judgment Interest applied pursuant to R. 4:42-11 has been calculated as simple interest. As required by R. 4:59-1, the method by which interest has been calculated is:

\$536,325.45.(Judgment Amount less attorneys’ fees) x 2.5% (R. 4:42-11(a)(iii))) = \$13,408.14

\$13,408.14 (Annual Interest) ÷ 365 (Calendar Days of the Year) = \$36.73

\$36.73 (Per Diem Post-Judgment Interest)

McCARTER & ENGLISH, LLP
Attorneys for Plaintiff

Dated: September 9, 2016

By: 
William D. Wallach
A Member of the Firm

Delivered to me this ____ day of _____, 2016, at ____ o'clock __.M.

Sheriff

EXHIBIT D

Interest Calculation - \$190K (Simple Interest, No Compounding)

Start Date	End Date	Number of days	Interest Rate	Principal	Interest	Principal & Interest
Annual Rate						
08/23/16	12/31/16	131.00	2.25%	190,277.70	1,536.56	191,814.26
01/01/17	12/31/17	365.00	2.50%		4,756.94	4,756.94
01/01/18	12/31/18	365.00	2.50%		4,756.94	4,756.94
01/01/19	12/31/19	365.00	3.50%		6,659.72	6,659.72
01/01/20	12/31/20	366.00	4.50%		8,585.96	8,585.96
01/01/21	12/31/21	365.00	3.50%		6,659.72	6,659.72
01/01/22	12/31/22	365.00	2.25%		4,281.25	4,281.25
01/01/23	12/31/23	365.00	2.25%		4,281.25	4,281.25
01/01/24	12/31/24	366.00	5.50%		10,493.95	10,493.95
01/01/25	06/01/25	152.00	7.50%		5,942.92	5,942.92
Totals				190,277.70	57,955.20	248,232.90
Daily Rate						
06/02/25	12/31/25	213.00	7.50%	190,278	39.10	